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February 10, 2009

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**MINUTES OF THE
SUMMERFIELD TOWN COUNCIL
SUMMERFIELD COMMUNITY CENTER
FEBRUARY 10, 2009
6:30 PM**

NOTE: The official minutes are a CD recording of the meeting. The following is a summary of the events of the meeting.

The meeting was called to order at 6:32 pm by Mark Brown.

The invocation was led by Dena Barnes, followed by the Pledge of Allegiance.

INTRODUCTIONS:

Council:

Mark Brown, Mayor
Dena Barnes
Alicia Flowers
Bob Williams
John W. Wray Jr.

Staff:

Michael Brandt, Town Manager
Dana Luther, Finance Officer
William Hill, Town Attorney
Valarie Halvorsen, Town Clerk

Barnes made a motion to formally excuse Strickland from the meeting. The motion was seconded by Flowers and carried unanimously.

CONSENT AGENDA:

Wray made a motion to approve the Consent Agenda, including the meeting agenda, minutes of the January 13 and January 30, 2009 meetings, Financial Report, NC DOT Road Additions Resolutions, and approval of Daryl Shain's Girl Scout Project at Summerfield Community Park. The motion was seconded by Barnes and carried unanimously.

ANNOUNCEMENTS

Brown announced that today was Brandt's 40th birthday and thanked him for his service to the town.

Brandt discussed delays in getting items posted to the website and noted it was due to an internet issue, not a website issue, and that it is being addressed.

Barnes announced the Polar Plunge would be held at Emerald Pointe Water Park on February 21st and the money raised would go to support Special Olympics.

SPEAKERS FROM THE FLOOR (limited to 5 min. on non-agenda items)

Gail Dunham, 5805 Snow Hill Dr, spoke about the fence being erected at the town hall parking lot and asked where it was on the budget, who approved it, and feels it was not publicly discussed. She also noted the meeting documents were not posted on the website and asked that they be posted and in a timely manner in the future.

Beth Kaplan, 7979 Highfill Rd, thanked council for all their hard work and addressed Dwayne Crawford's request to hold a referendum on changing the form of government back to mayor-

council and noted that Council has no power to do so at this time per NC G.S. 106A-107, noting that when it is changed by charter it must remain that way for a period of two years before it can be changed again.

Dwayne Crawford, 1106 NC Hwy 150 W, reiterated his request for the referendum, noting that per NC G.S. 106A-104, which states that a citizen petition may not be filed within one year and six months following the effective date of the ordinance of the previous charter change. He noted the charter was amended January 8, 2008 and noted that July 10, 2009 would be the date citizens have the opportunity to call for a referendum

COMMITTEE REPORTS:

- A. **Community Relations:** Brown announced Founders' Day would be May 16, 2009.
- B. **Finance:** Luther noted the February meeting was cancelled and the next meeting would be held March 16, where they would start budget discussions.
- C. **Historical:** No report.
- D. **Parks & Rec:** Sherrie Joseph said the committee met last Thursday and continued discussions of event planning and budget goals. She invited all to participate in a park work day on February 21 from 1:00 pm to 4:00 pm in which landscaping work would be done at Winfree Park and 3000 donated bulbs would be planted at SCP. She thanked Terry McLean for securing the bulb donation.
- E. **Public Safety:** Ron Marshburn said they met January 21 and the next meeting was scheduled for February 18, 2009. They have been discussing pursuing a fire protection water supply system for the town for about a year and requested that council agree to hear a presentation about it. Brown suggested this presentation be heard during the February 18 budget workshop.
- F. **SYC:** Reese Walker said they are looking forward to helping out during the park work day. Brown thanked the committee for all that they do.
- G. **Comprehensive Plan:** Brandt said the committee continues to meet on the first Monday of each month but the meeting time would change to 6:45 to 9:15 pm starting in March.
- H. **Athletic Advisory:** Brandt stated the next meeting was tomorrow at 3:30 pm and they are reviewing documents for bidding, construction, and costs.

PUBLIC COMMENT PERIOD FOR THE 2009-2010 FISCAL BUDGET (limited to 5 min.)

Brown said that again this year, this is one of several opportunities for the public to give their input on the budget and there will also be a series of meetings culminating in the official public hearing in June.

Jeff Johnson, 6106 Bascom Dr, is concerned about the economy, that governments, businesses, and families are all feeling the impact. While the town is not in bad shape itself right now, economists expect things to get worse before they get better, therefore, he requests that council only fund necessities at this time and delay or cancel all other discretionary expenses and to lower the town tax rate to a rate that is equal to cover the cost of these essentials. He feels this

will show the citizens that the town understands the financial realities while ensuring the long term financial health of the town is not compromised.

Gail Dunham, 5805 Snow Hill Dr, asked about the 401k match provided by the town to employees and stated many companies no longer receive such a match. She feels there should be no town tax especially during these tough economic times, that the budget is padded, that all meeting should be publicly noticed in a timely manner, that there should be transparency, and that there is no budget available during the times the public is invited to comment on it. Luther noted all revenue projections and committee requests are presented during the public open house.

Don Wendelken, 3406 Windswept Dr, stated the taxes are reasonable and suggested one way to get revenue is from tax base that would be generated from the proposed shopping center. He feels that Summerfield is a great town, that nothing is perfect and you can't please everyone all of the time, and council is doing a great job.

Beth Kaplan, 7979 Highfill Rd, agrees that the economy is bad but hopes that the town will continue with parks & recreational facilities as she and her family plan to stay close to home and local attractions are needed. She also hopes the town continues to take care of the employees who do a good job, as does council.

Dwayne Crawford, 1106 NC Hwy 150 W, asked council to spend money for water monitoring wells that can be used to assess the aquifer and water availability. He also recommended moving forward with purchasing a traffic counter, and spending to measure park usage.

There was a brief discussion of estimated costs and the possibility that Guilford County would sink and/or monitor the wells themselves.

Break from 7:14 to 7:28 pm.

PUBLIC HEARING:

Five year franchise for the provision of solid waste and recycling services for residents of the Town with Republic Waste Services *(second reading)*

Brown opened the Public Hearing at 7:29 pm.

Jeff Johnson feels the collection service is first rate, that Republic does a great job, and he would like to see them continue.

Jane Doggett, 7986 Highfill Rd also commented on the great job Republic does, the consistency, friendliness of the staff, and her wish to see them continue.

Brown closed the Public Hearing at 7:31, noting his agreement with the speakers and recommending approval to council.

Following a brief discussion, Wray made a motion to grant the five year franchise for the provision of solid waste and recycling services with Republic Waste Services. The motion was seconded by Williams and carried unanimously.

BUSINESS FROM TOWN MANAGER:

A. Lease agreement for the property located at 4310 US 220 for the use as parking lot for public trail access (Action)

Brandt noted this had been discussed during the January 30, 2009 meeting and as requested, he told the Marshalls that council did not approve of the Marshalls' proposed changes. The contract was signed by the Marshalls with the originally agreed upon terms.

Flowers made a motion authorizing the mayor to sign the lease agreement. The motion was seconded by Williams and carried unanimously. Brandt stated the town would take possession of the property March 1, 2009 and would begin construction as soon as possible.

B. Recommended Comprehensive Plan Committee changes by Plan Consultant (Action-continued from January 13, 2009 meeting)

Brandt stated the committee reviewed the recommendations which include the following: there will be no ex-officio members (except for Flowers as a council member) that all members will be voting members, that decisions will be made via consensus rather than a vote, that they would be required to have 9 members present for a quorum, and that no more members be added at this time even if some current members leave. Flowers feels it is an excellent committee and consultant, that there is a good mix of people who work well together, and she endorses the recommendations.

Following a brief discussion, Barnes made a motion to approve the committee changes as listed above. The motion was seconded by Williams and carried unanimously.

C. CDARS Investment Discussion

Luther described the program, which functions by allowing a local bank to take the town's deposit and exchange it with other banks in the network in amounts lower than the FDIC maximum, which allows the quoting bank to offer better and more competitive investment rates. While there are no current plans to participate, Luther asked council to approve participation if and when the rates become more attractive.

Following a brief discussion, Barnes made a motion authorizing entering into a CDARS investment if the Finance Officer deems it appropriate, and to start small. The motion was seconded by Wray and carried unanimously.

D. Appointment of Carrie Spencer as Deputy Town Clerk (action)

Brandt explained the need to have someone available to sign documents in the absence of the clerk and recommended appointing Spencer as Deputy Town Clerk. He clarified this was not the creation of a staff position, but a title or duty to be added to Spencer's current duties.

Wray made a motion to appoint Carrie Spencer as Deputy Town Clerk. The motion was seconded by Williams and carried unanimously.

E. Update on Parks & Recreation Projects

Brandt stated the cedar fence at Winfree Park is being installed, that Jerry Friddle donated 20 dump truck loads of dirt, and that manure, plants, and a pergola were also donated. As to SCP

Phase II, while the weather has slowed down construction progress, the restroom facility, playground, and concrete work are all in place. The rain garden is the largest construction item still outstanding. In looking at the overall budget for the park, so far we are about \$50,000 under budget and the opening is scheduled for April 25, 2009. The PARTF grant for SAP was submitted last Monday with Phase I budgeted at \$1.1 million and Phase II at \$1.2 million with the potential for a matching \$500,000 grant, there is an additional \$150,000 outstanding from the Armfield grant, and a potential \$25,000 grant for a playground at the park.

Williams thanked George Holub for his weekly updates regarding the park. Flowers asked about the status of the fishing pier. Brandt said it has been delivered, the abutment should go in during the next two weeks, and the pier can be affixed to it after it cures. Barnes asked if there was a date for the fishing tournament and Holub replied June 13, 2009. Brandt noted there are no plans to stock the pond under the agreement at this time; however, 200 fish have been secured so far for the tournament at no cost to the town.

F. Report on meetings and activities

Brandt discussed the NC Main Street conference he attended January 29, 2009 in Statesville.

Brown read the reasons for going into Closed Session as follows:

CLOSED SESSION:

- A) Consider the qualifications, competence, performance, character, fitness, conditions of appointment or conditions of initial employment of an individual public officer or employee or prospective public officer or employee as provided under NCGS 143-318.11(a) (6)**

Barnes made a motion to enter into closed session at 8:10 pm. The motion was seconded by Wray and carried unanimously.

Williams made a motion to return to open session at 8:22 pm. The motion was seconded by Flowers and carried unanimously.

Barnes made a motion authorizing the manager to create a part time administrative assistant position paid at \$15 per hour not to exceed 20 hours per week. The motion was seconded by Williams and carried unanimously. Luther does not want to limit the hours to 20 a week in case more hours are needed.

Barnes made a motion to rescind the previous motion which was seconded by Flowers and carried unanimously.

Barnes made a motion authorizing the manager to create a temporary part time administrative assistant position paid at \$15 per hour estimated at 20 hours per week. The motion was seconded by Williams and carried unanimously.

Barnes made a motion to recognize Carrie Spencer and her hard work and additional duties she performs now that the previous planner is gone, and to increase her salary to \$16 per hour starting on February 1, 2009. The motion was seconded by Williams and carried unanimously.

BUSINESS FROM COUNCIL:

- A. Re-appointment of Zoning Board members and alternates and Parks & Rec applicant.**

Brandt stated there are two regular Zoning Board members (Trudy Whitaker and Dick Fuelner) and two alternate members (Frederick Burguieres and Lisa Kim) who are up for reappointment. He noted that Whitaker who previously expressed interest in changing to alternate status had changed her mind, and Lisa Kim also decided to continue as an alternate.

Flowers made a motion to reappoint Whitaker and Fuelner as regular Zoning Board members and Frederick Burguieres and Lisa Kim as alternate members. The motion was seconded by Williams. Barnes asked about membership numbers and Brandt replied no more members were needed at this time. The motion passed unanimously.

There was discussion about asking applicants for physical addresses for the purpose of ascertaining whether the applicant is a Summerfield resident or not, which was approved by consensus.

Wray made a motion to appoint Jean-Yves Fichou to the SPARC Committee. The motion was seconded by Flowers and carried unanimously.

B. Founders' Day Committee Ordinance (action)

Brown noted this ordinance was created based on the template for the other committee ordinances. Brandt stated the only differences were as follows: the appointment/reappointment time is in August, there will be four one year terms, council members and non-residents can serve as ex-officio members, and the committee will include representatives from the PTA and SYC.

Barnes made a motion to approve the Founders' Day Committee Ordinance. The motion was seconded by Wray and carried unanimously.

C. Community Based Organizations – Review of Requests (action)

Luther stated the Finance Committee voted 3 to 2 to approve funding the Piedmont Triad Partnership with two opposed based on large executive salaries, and voted unanimously to approve Senior Resources, but expressed concerns about reaching a limited portion of the town population.

Following a brief discussion about the needs of seniors and advertising programs, Barnes made a motion to approve the Senior Resources CBO. The motion was seconded by Flowers and carried unanimously.

Brown and Barnes spoke in favor of funding the Piedmont Triad Partnership.

Barnes made a motion to approve the requested \$500 to Piedmont Triad Partnership CBO. The motion was seconded by Wray and carried unanimously.

D. Report on meetings or activities

Barnes noted an upcoming mayor's meeting.

OTHER BUSINESS:

Hill discussed the faulty door repair at town hall, noting attempts to contact the business owner Dennis Steel resulted in no response, so a lawsuit has been filed against the business, Belews Creek Construction. Flowers asked about the amount and Hill replied the suit is for a sum certain, which is roughly \$5200.

Brandt discussed a proposal from Benchmark for code enforcement with an hourly rate of \$62, and recommended entering into an agreement with them with an amount not to exceed \$8000, which would amount to an average of 20 hours per month for 6 months. Flowers asked about the per hour cost and Brandt stated it had increased from the previous rate of \$59/hour. Flowers asked Brandt to try and negotiate a lower price and Brandt agreed to approach Benchmark about it, but noted this is a standard rate.

Barnes made a motion approving entering into a contract with Benchmark pending approval by Luther and Hill, with an amount not to exceed \$8000. The motion was seconded by Williams and carried unanimously.

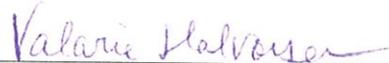
COMMENTS FROM THE COUNCIL:

Flowers wished Brandt a happy birthday

With no further business before the Town Council, a motion was made at 8:54 pm by Wray to adjourn. The motion was seconded by Barnes and carried unanimously.



Mark E. Brown, Mayor



Valarie Halvorsen, Town Clerk

